

**UNITED STATES OF AMERICA
NATIONAL CREDIT UNION ADMINISTRATION
Alexandria, Virginia**

In the Matter of
Kristi Lynn Hunter

)
)
) Docket No.: 12-0062-R5
)
)

NOTICE OF PROHIBITION

WHEREAS on or about August 30, 2011, Kristi Lynn Hunter ("Hunter") was convicted and sentenced for Theft by Embezzlement (Common Scheme), Mont. Code Ann. § 45-6-310(7)(a)(2009), a crime for which she previously entered a guilty plea, in connection with her employment at Russell Country Federal Credit Union, in Great Falls, Montana;

WHEREAS a violation of Mont. Code Ann. § 45-6-310(7)(a)(2009) is a criminal offense involving dishonesty and breach of trust;

NOW, THEREFORE, YOU ARE HEREBY NOTIFIED THAT:

1. Pursuant to 12 U.S.C. § 1785(d)(1)(A) and 12 U.S.C. § 1829(a)(1)(A), Hunter is prohibited from becoming an "institution affiliated party" of any insured depository institution, as defined in 12 U.S.C. § 1786(r); otherwise participating, directly or indirectly, in the conduct of the affairs of any insured depository institution; and owning or controlling, directly or indirectly, any insured depository institution;

2. Pursuant to 12 U.S.C. § 1785(d)(1)(B) and 12 U.S.C. § 1829(a)(1)(B), no insured depository institution may permit Hunter to engage in any conduct or continue in any relationship prohibited in paragraph 1 above;

3. Pursuant to 12 U.S.C. § 1785(d)(3) and 12 U.S.C. § 1829(b), whoever knowingly violates paragraph 1 or 2 above is subject to a fine of not more than \$1 million for each day such prohibition is violated, or imprisonment for not more than five (5) years, or both;

4. The "Plea Agreement" filed June 28, 2011 and "Sentence" filed September 2, 2011, Case Number CDC-11-102, are made a part hereof and is incorporated herein by reference; and

5. This Notice of Prohibition shall be effective and enforceable on the date set forth below.

IT IS SO ORDERED this 10th day of December, 2012.

NATIONAL CREDIT UNION ADMINISTRATION BOARD

By: Elizabeth A. Whitehead
Elizabeth Whitehead
Regional Director
NCUA Region V

MELISSA EDWARDS
Assistant Public Defender
Office of the State Public Defender
615 2nd Avenue North, 3rd Floor
Great Falls, Montana 59401
Telephone: (406) 770-3200

11 JUN 28 PM 3:12

FILED
BY [Signature]
DEPUTY

MONANA EIGHTH JUDICIAL DISTRICT COURT, CASCADE COUNTY

THE STATE OF MONTANA,)	
)	No.: CDC-11-102
Plaintiff,)	
v.)	
)	PLEA AGREEMENT
KRISTI HUNTER,)	
Defendant.)	

WHEREAS, an Information was filed in the District Court of the Eighth Judicial District of Cascade County, Montana, charging the defendant with the offense of:

THEFT BY EMBEZZLEMENT (COMMON SCHEME), a felony in violation of *Mont. Code Ann. § 45-6-301(7)(a)* (2009). The maximum penalty for this offense is imprisonment in the State prison for a term of ten (10) years and a fine of \$50,000.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES CONTAINED HEREIN, IT IS STIPULATED AND AGREED between the Cascade County Attorney and Defendant and Defense Counsel as follows:

I. POWERS OF THE COURT

- A. The parties are in agreement as to the sentencing recommendations and enter into the agreement under *Mont. Code Ann. §46-12-211(1)(c)*(2009). The parties will make sentencing recommendations, or agree not to oppose the defendant's request, for a particular sentence, with the understanding that the recommendation or request may not be binding upon the court and that if the Court does not follow the recommendation of either party this shall not constitute a basis for the Defendant to withdraw her plea.
- B. Each party recognizes that sentencing in this matter is entirely within the discretion of the presiding District Court Judge, subject only to the limits of statutory and case law.
- C. Each party understands and agrees that a plea of **GUILTY** entered to any charge pursuant to this agreement cannot be subsequently withdrawn except as provided by law.
- D. Defendant acknowledges that, as part of this sentencing, this Court must impose a

surcharge of \$15.00 for each misdemeanor count and \$20.00 for each felony count as provided in *Mont. Code Ann.* §46-18-236 (2009), and a Victim Witness fee of \$50.00.

E. Defendant acknowledges that pursuant to *Mont. Code Ann.* §46-18-241 (2009), this Court may require him/her to pay the cost of supervising the payment of restitution by paying an amount equal to 10% of the amount of restitution ordered, but not less than \$5 or more than \$250.

II. AGREEMENT OF THE DEFENDANT

1. Defendant agrees to plead guilty to the offense of:

THEFT BY EMBEZZLEMENT (COMMON SCHEME), a felony in violation of *Mont. Code Ann.* § 45-6-301(7)(a) (2009).

Defense Counsel shall make any recommendation she chooses.

III. AGREEMENT OF THE COUNTY ATTORNEY

1. The Cascade County Attorney agrees to recommend that the Court impose the following sentence:

That the Court defer imposition of the sentence for a period of four (4) years on the condition that Defendant pay restitution in the amount of \$4,578.78 and comply with other conditions of probation. The state will not oppose early termination of probation and dismissal of the matter after two (2) years if restitution has been paid in full, and Defendant has been compliant with all other conditions of probation.

2. The County Attorney may recommend restitution to any victim, including, reasonable fines, or any reasonable conditions upon review of the Pre-Sentence Investigation.

3. Should the Defendant violate any laws between the time of entry of plea and the time of sentencing the County Attorney shall have the right to rescind this agreement.

Kristi Hunter

Kristi Hunter,
Defendant

5-11-2011

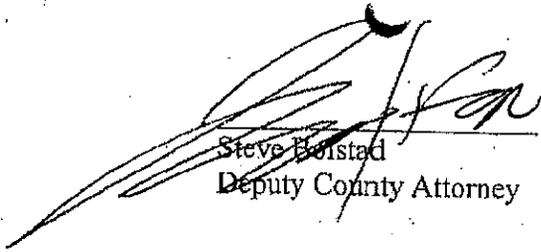
Date

Melissa Edwards

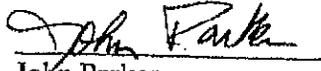
Melissa Edwards,
Defendant's Attorney

5-11-11

Date


Steve Boistad
Deputy County Attorney

7 Jun 11
Date


John Parker
County Attorney

28 June 2011
Date

11 SEP -2 PM 2:36

FILED

MONTANA EIGHTH JUDICIAL DISTRICT COURT, CASCADE COUNTY

THE STATE OF MONTANA,)
)
 Plaintiff,) No. CDC-11-102
)
 vs.)
) SENTENCE
 KRISTI LYNN HUNTER,)
)
 Defendant.)

This matter came on before the Court on August 30, 2011, for sentencing of the Defendant. The Defendant appeared in person and through Defendant's court appointed counsel, Melissa Edwards. The State of Montana appeared through Deputy County Attorney Bert Certain on behalf of Steve Bolstad.

The respective counsel made recommendations to the Court as to the sentence to be imposed.

The Defendant was given the opportunity to make a statement to the Court and chose not to make such a statement.

In determining the sentence imposed herein, the Court considered the factors contained in the correctional and sentencing policy of the State of Montana. The reasons for the sentence imposed herein are as follows:

The crimes committed were as follows:

Theft by Embezzlement (Common Scheme), a Felony;

21

1 Defendant embezzled some \$4,928.78 from her employer, Russell Country Federal Credit
2 Union.

3 Defendant has no prior criminal history. The prospects of rehabilitating Defendant are
4 reasonable.
5

6 The alternatives open to the Court, other than prison, are community based detention in a
7 community facility such as the County Jail or the Pre-Release Center, if the Defendant is
8 accepted for placement therein, detention by home arrest, ISP, boot camp, suspension of sentence
9 or deferred imposition of sentence, fine, and community service.
10

11 IT IS HEREBY ORDERED, that the Defendant is sentenced as follows:

12 **Count I: Theft by Embezzlement (Common Scheme), a Felony, the Court defers**
13 **imposition of sentence for a period of four (4) years.**

14 The Defendant may apply for dismissal of the case after two (2) years if restitution is paid
15 in full and the Defendant has satisfied all other conditions of probation.
16

17 The Court further Orders the following conditions from the Pre-Sentence Investigation
18 Report:

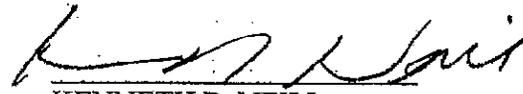
- 19 1. The Defendant be placed under the supervision of the Department of Corrections, subject
20 to all rules and regulations of the adult Probation & Parole Bureau.
- 21 2. The Defendant is prohibited from using or possessing illegal drugs. The Defendant is
22 required to submit to breathalyzer and/or bodily fluid testing for drugs or alcohol on a
23 random or routine basis and without reasonable suspicion.
- 24 3. The Defendant will obtain any evaluations, counseling or programs as deemed
25 appropriate by supervising officer and follow all recommendations.
- 26 4. The Defendant is prohibited from using, owning, possessing, transferring, or controlling
27 any firearm, ammunition (including black powder), weapon, or chemical agent such as
28 oleoresin capsicum or pepper spray.

- 1 5. The Defendant shall not possess or use any electronic device or scanner capable of
2 listening to law enforcement communications.
- 3 6. Upon reasonable suspicion that the Defendant has violated the conditions of supervision,
4 a probation and parole officer may search the person, vehicle, and residence of the
5 Defendant, and the Defendant must submit to such search. A probation and parole officer
6 may authorize a law enforcement agency to conduct a search, provided the probation and
7 parole officer determines reasonable suspicion exists that the Defendant has violated the
8 conditions of supervision.
- 9 7. The Department of Corrections is required to disclose the Defendant's conviction
10 involving theft from an employer to any and all employers. (§46-23-1004(9), MCA).
- 11 8. All Defendants convicted of a felony offense shall submit to DNA testing. (§44-6-103,
12 MCA). The court cannot waive this registration requirement.
- 13 9. The Defendant shall pay the following fees and/or charges which are statutorily
14 mandated:
- 15 a. The Probation & Parole Officer shall determine the amount of supervision fees
16 (§ 46-23-1031, MCA) to be paid each month in the form of money order or
17 cashier's check to the Department of Corrections Collection Unit, P.O. Box
18 201350, Helena, MT 59620 (\$50 per month if the Defendant is sentenced under
19 §45-9-202, MCA, dangerous drug felony offense and placed on ISP). The DOC
20 shall take a portion of the Defendant's inmate account if the Defendant is
21 incarcerated.
- 22 b. Surcharge of the greater of \$20 or 10% of the fine for each felony offense.
23 [§46-18-236(1)(b), MCA]
- 24 c. Surcharge for victim and witness advocate programs of \$50 for each
25 misdemeanor or felony charge under Title 45, Crimes; §61-8-401 (DUI);
26 [§46-18-236(1)(c), MCA]
- 27 d. \$10 per count for court information technology fee. (§3-1-317, MCA)
- 28 e. A \$50 fee at the time a PSI report is completed, unless the court determines the
Defendant is not able to pay the fee within a reasonable time (§46-18-111, MCA).
The Defendant shall submit this payment to the Department of Corrections
Collection Unit, P.O. Box 201350, Helena, MT 59620.
- f. Defendant shall pay court-ordered victim restitution in the amount of \$4,928.78
by money order or cashier's check sent to the Department of Corrections,
collection Unit, P.O. Box 201350, Helena, MT 59620. The Defendant will be

1 assessed a 10% administration fee on all restitution ordered. All of the methods
2 for collection of restitution provided under Sections 46-18-241 through 46-18-249
3 shall apply, including garnishment of wages and interception of tax refunds.
4 Pursuant to Section 46-18-244(6)(b), MCA the Defendant shall sign a statement
5 allowing any employer to garnish up to 25% of his/her wages. The Defendant
shall continue to make monthly restitution payments until he/she had paid full
restitution, even after incarceration or supervision has ended.

6 If a written judgment and an oral pronouncement of sentence or other disposition conflict,
7 the Defendant or the prosecutor may, within 120 days after filing of the written judgment,
8 request that the Court modify the written judgment to conform to the oral pronouncement.
9 The Court shall modify the written judgment to conform to the oral pronouncement at a
10 hearing, and the Defendant must be present at the hearing unless the Defendant waives
11 the right to be present or elects to proceed pursuant to Section 46-18-115 MCA. The
12 Defendant and the prosecutor waive the right to request modification of the written
13 judgment if a request for modification of the written judgment is not filed within 120
14 days after the filing of the written judgment in the sentencing court.

15 DATED this 2nd day of September, 2011.



KENNETH R. NEILL
DISTRICT COURT JUDGE

16 cc: ~~Defense Counsel/Melissa Edwards~~
17 ~~Defendant/c/o counsel + info~~
18 ~~County Attorney/Steve Bolstad~~
19 ~~Adult Probation and Parole~~
20 ~~Cascade County Sheriff's Office + mms~~
21 ~~GFPD + mms~~
22 ~~Montana State ID + mms~~
23 ~~Department of Corrections + mms~~

CERTIFICATE OF MAILING

This is to certify that the foregoing was
duly served by trial court counsel of
record and filed for filing
day of Sept 2011
FAYE McWILLIAMS, CLERK OF COURT
By [Signature] DEPUTY